

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 315

(By Mr. Adams)

PASSED Mar 8 1955

In Effect from Passage

Filed in the Office of the Secretary of State
of West Virginia MAR 17 1955
D. PITT O'BRIEN
SECRETARY OF STATE

ENROLLED
House Bill No. 315
(By MR. ADAMS)

[Passed March 8, 1955; in effect from passage.]

AN ACT to amend and reenact section nine, article eight, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to assessments to improve streets, sidewalks and sewers.

Be it enacted by the Legislature of West Virginia:

That section nine, article eight, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 9. *Assessment Certificates; Issuance, Sale and*
2 *Negotiation; Recording Assessing Resolution or Ordinance.*—Immediately on laying of the assessment against
3 the abutting property, certificates shall be issued evidencing said assessments and each installment of principal and interest payable. Said certificates may be payable
4 to the municipality or to the bearer and be signed by the

8 mayor and clerk or other equivalent officers of the mu-
9 nicipality, and shall refer to the ordinance or resolution
10 laying the assessments; shall show the amount and date
11 of the assessment and describe the property against which
12 the assessment is laid, describe the same as to ownership,
13 amount, frontage and briefly as to location. Said certifi-
14 cates shall also show the dates on which principal and
15 interest payments are due, and shall contain a provision
16 that in event of default in the payment of any one of such
17 installments, and such default continuing for a period of
18 sixty days, then all unpaid installments shall become due
19 and payable at the election of the certificate holder and
20 the holder may proceed to collect all of the unpaid
21 balances of installments, with interest until paid. Said
22 certificates may be issued to the contractor making the
23 improvements in payment therefor, upon the contractor's
24 reimbursing the municipality for those items of the cost
25 and expense advanced by the municipality and mentioned
26 in section five hereof. Said certificates payable to the
27 bearer shall be assignable by delivery of the certificates
28 and be enforceable by the holder. The municipality

29 issuing such certificates shall not be held as guarantor or
30 in any way liable for the payment of bearer certificates. A
31 notice of the lien of said assessment, referring to the assess-
32 ing ordinance or resolution, and setting forth a list of the
33 property assessed, described respectively as to amounts
34 of assessment, frontage, location and ownership of the
35 property, shall be certified by the clerk or recorder of
36 the municipality to the clerk of the county court of the
37 county wherein the improvement is located. The county
38 clerk shall record the same in a proper trust deed book
39 and index the same in the name of each owner of abutting
40 property assessed.

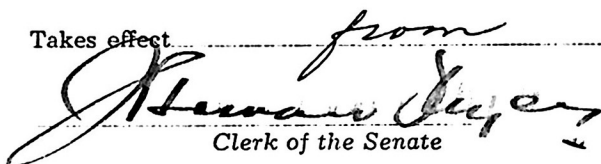
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

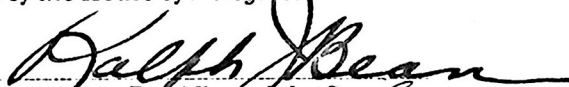

Chairman House Committee

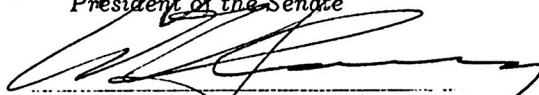
Originated in the House of Delegates

Takes effect from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 16
day of March, 1953.


Governor

Filed in the Office of the Secretary of State
of West Virginia. **MAR 17 1955**
J. PITT O'BRIEN
SECRETARY OF STATE